Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PST

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Texaco Beer & Wine, 3635 North Belt Line Road, Irving, Dallas County

Type of Operation:

Convenience store with retail sales of gasoline

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 20, 2011

Comments Received: No

Penalty Information

Total Penalty Assessed: \$20,263

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$12,058

Total Paid to General Revenue: \$330 **Total Due to General Revenue:** \$7,875

Payment Plan: 35 payments of \$225 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: September 14, 2010

Date(s) of NOE(s): October 6, 2010

Violation Information

- 1. Failed to register the underground storage tank ("UST") system with the agency. Specifically, the UST installed on April 7, 2009, was not registered with the TCEQ after installation. Also, the registration was not amended to reflect the current ownership information [30 Tex. Admin. Code § 334.7(a)(1)].
- 2. Failed to self-certify the UST system by submitting a properly completed UST registration and self-certification form to the agency within 30 days after the date any regulated substance is placed into the tank. Specifically, fuel was placed into the tank and the Respondent did not self-certify the UST system [30 Tex. Admin. Code § 334.8(c)(4)(B)].
- 3. Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the UST. Specifically, the Respondent received five deliveries of fuel without a delivery certificate [30 Tex. ADMIN. CODE § 334.8(c)(5)(A)(i) and Tex. WATER CODE § 26.3467(a)].
- 4. Failed to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of the petroleum UST [30 Tex. ADMIN. CODE § 37.815(a) and (b)].
- 5. Failed to test the line leak detector at least once per year for performance and operational reliability. Specifically, the line leak detector was not performance tested by the due date of July 22, 2010 [30 Tex. Admin. Code § 334.50(b)(2)(A)(i)(III) and Tex. Water Code § 26.3475(a)].
- 6. Failed to maintain the required UST records and make them immediately available for the inspection upon request by agency personnel [30 Tex. Admin. Code § 334.10(b)].
- 7. Failed to conduct effective manual or automatic inventory control procedures for the UST involved in the retail sale of petroleum substances used as motor fuel [30 Tex. ADMIN. CODE § 334.48(c)].
- 8. Failed to ensure that a legible tag, label, or marking with the tank number is permanently applied upon or affixed to either the top of the fill tube or to a

nonremovable point in the immediate area of the fill tube for each regulated UST according to the UST registration and self-certification form [30 Tex. Admin. Code § 334.8(c)(5)(C)].

- 9. Failed to inspect all sumps including dispenser sumps, manways, overspill containers or catchment basins associated with the UST system at least once every 60 days to assure that the sides, bottoms, and any penetration points are maintained liquid-tight and free of any liquid or debris. Specifically, the spill buckets contained liquid and debris [30 Tex. Admin. Code § 334.42(i)].
- 10. Failed to conduct annual tightness inspections of all sumps, including the dispenser sumps or manways associated with a new secondarily contained UST system [30 Tex. ADMIN. CODE § 334.45(d)(1)(E)(iv)].
- 11. Failed to maintain Stage II records at the Station and make them immediately available for review upon request by agency personnel. Specifically, daily and monthly inspections records, maintenance records, a copy of the California Air Resources Board Executive Order, and the Stage II test results were not available for review [30 Tex. ADMIN. CODE § 115.246(7)(A) and Tex. Health & Safety Code § 382.085(b)].
- 12. Failed to ensure that at least one Station representative received training in the operation and maintenance of the Stage II vapor recovery system, and each current employee receives in-house Stage II vapor recovery training regarding the purpose and operation of the vapor recovery system [30 Tex. Admin. Code § 115.248(1) and Tex. Health & Safety Code § 382.085(b)].
- 13. Failed to verify proper operation of the Stage II equipment at least once every 12 months. Specifically, the Stage II annual testing was not conducted by the due date of July 22, 2010 [30 Tex. Admin. Code § 115.245(2) and Tex. Health & Safety Code § 382.085(b)].
- 14. Failed to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with a Stage II vapor recovery system [30 Tex. Admin. Code § 115.242(9) and Tex. Health & Safety Code § 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Station:

- a. Obtained financial assurance coverage for the UST on October 7, 2010;
- b. Successfully conducted the line leak detector test on September 14, 2010; and

c. Successfully conducted the annual testing of the Stage II equipment on September 14, 2010.

Technical Requirements:

The Order will require the Respondent to:

- a. Immediately:
- i. Cease accepting fuel until such time as a valid delivery certificate is obtained from the TCEQ by submitting a properly completed UST registration and self-certification form;
- ii. Begin maintaining all UST records;
- iii. Begin conducting effective manual or automatic inventory control procedures for the UST system; and
- iv. Begin maintaining all Stage II records at the Station;
- b. Within 30 days:
- i. Ensure that the UST at the Station is properly tagged, labeled, or marked with an identification number that matches the number listed on the UST registration and self-certification form;
- ii. Clean the spill buckets and began conducting bimonthly inspections of all sumps, manways, overfill containers, or catchment basins associated with the UST system;
- iii. Begin conducting annual tightness inspections of all sumps and manways associated with the UST system;
- iv. Ensure that at least one Station representative receives training in the operation and maintenance of the Stage II vapor recovery system, and each current employee receives in-house Stage II vapor recovery training regarding the purpose and operation of the vapor recovery system; and
- v. Post operating instructions on the dispensers.
- c. Within 45 days, submit written certification demonstrating compliance.

Litigation Information

Date Petition(s) Filed: N/A Date Answer(s) Filed: N/A SOAH Referral Date: N/A Hearing Date(s): N/A

Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Judy Kluge, Enforcement Division, Enforcement Team 6, MC R-04, (817) 588-5825; Laurie Eaves, Enforcement Division, MC 219,

(512) 239-4495

TCEQ SEP Coordinator: N/A

Respondent: Charles Park, Director, PSJS ENTERPRISES INC, 927 Condor Drive,

Coppell, Texas 75019-5988

John Chong, Vice President, PSJS ENTERPRISES INC, 927 Condor Drive, Coppell,

Texas 75019-5988

Respondent's Attorney: N/A

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Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 Assigned 11-Oct-2010 PCW 18-Oct-2010 Screening 15-Oct-2010 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent PSJS ENTERPRISES INC dba Texaco Beer & Wine Reg. Ent. Ref. No. RN100536549 Facility/Site Region 4-Dallas/Fort Worth Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 40555 No. of Violations 12 Docket No. 2010-1700-PST-E Order Type 1660 Government/Non-Profit No Media Program(s) Petroleum Storage Tank Enf. Coordinator Judy Kluge Multi-Media EC's Team Enforcement Team 6 Maximum \$10,000 Admin. Penalty \$ Limit Minimum \$0 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$19,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the Indicated percentage. 1444.44 Compliance History \$950 5.0% Enhancement Subtotals 2, 3, & 7 Enhancement for one NOV with same or similar violations. Notes 0:0% Enhancement Culpability No * Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes Subtotal 5 \$1,350 Good Faith Effort to Comply Total Adjustments 0.0% Enhancement* Subtotal 6 \$0 **Economic Benefit** *Capped at the Total EB \$ Amount Total EB Amounts ,749 Approx. Cost of Compliance Final Subtotal \$18,600 SUM OF SUBTOTALS 1-7 OTHER FACTORS AS JUSTICE MAY REQUIRE 8.9% Adjustment \$1,663 Reduces or enhances the Final Subtotal by the indicated percentage Recommended enhancement to capture the avoided cost of compliance Notes associated with violation nos. 1, 3, 4, 8, and 11. Final Penalty Amount \$20,263 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$20,263 20.0% Reduction Adjustment -\$4,052 Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

\$16,211

Notes

PAYABLE PENALTY

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Screening Date 15-Oct-2010

Docket No. 2010-1700-PST-E

Respondent PSJS ENTERPRISES INC dba Texaco Beer & Wine

Case ID No. 40555

Reg. Ent. Reference No. RN100536549

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

Compliance History Worksheet

 Compliance Histo Component 	ory Site Enhancement (Subtotal 2) Number of	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
	Other written NOVs	. 0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any. adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Ple	ase Enter Yes or No	1
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Ocher	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2)
Repeat Violator (Subtotal 3)		
No	Adjustment Per	centage (Sub	total 3) 🗌
Compliance Histo	ory Person Classification (Subtotal 7)		
Average Pe	rformer . Adjustment Per	centage (Sub	total 7) 🗀
Compliance Histo		villandini Pini Salomal Pia	. I I 23
Compliance History Notes	Enhancement for one NOV with same or similar violations.		
	Total Adjustment Percentage (S	Subtotals 2	3. & 7)

Screening Date			et No. 2010-1700-PST-E		PCW
		S INC dba Texaco Beer & \	Wine	•	2 (September 2002)
Case ID No.			•	PCW Revision	on October 30, 2008
Reg. Ent. Reference No.		T!			
Media [Statute] Enf. Coordinator	Judy Kluge	: Tank			
Violation Number					
Rule Cite(s)	30 To	ex. Admin. Code §§ 334.7((a)(1) and 334.8(c)(4)(B)		
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			agency. Specifically, the US he TCEQ after installation. A		
			current ownership informati		
Violation Description			a properly completed UST r		
	and self-certif	ication form to the agency	within 30 days after the da . Specifically, fuel was place	te any	1
			self-certify the UST system.	o mo me	
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u			0.00:14		
		•	Bas	se Penalty	\$10,000
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OR Actual			B	j	
Potential	LL		Percent 0%		
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			Percent 10%		
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	10 / 10 / 10 / 10 / 10 / 10 / 10 / 10 /		Adjustment	\$9,000	
: #				<u> </u>	\$1,000
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Number of V	iolacion Lverics		JUN MULLIPEL OF VIOLECTOR	days	area. Linear
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with an x	quarterly semiannual		Violation Bas	se renaity	\$2,000
	annual	×			
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Two annua			entation of the violation duri	ng the	P contents
·	. S	eptember 14, 2010 invest	lgation.		4
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Good Faith Efforts to Comp		0.0% Reduction	Harmon A. Office	managamagamagamagamagamagamagamagamagama	\$0
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	Ordinary		****		Principal Control of the Control of
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	(Tr.	e Respondent does not ma	et the good faith criteria for		a and a second
•	Notes	this vio			- topedic rive
	L.			1	esternos.
•			Violatio	n Subtotal	\$2,000
Economic Benefit (EB) for	this violation	oma os manaris de la composición de la	Statutory Lim	t Test	The second of th
	ed EB Amount	\$115	Violation Final Per		\$2,288
Laumate	Amount			-	
		This violation Final Ass	sessed Penalty (adjusted	for limits)	\$2,288
San and the same of the same o	Angerta	and the second s	The state of the s		Translation with the control of the second of

Economic Benefit Worksheet Respondent PSJS ENTERPRISES INC dba Texaco Beer & Wine Case ID No. 40555 Reg. Ent. Reference No. RN100536549 Years of Media: Petroleum Storage Tank Percent Interest Depreciation Violation No. 1 Yrs Interest Saved Onetime Costs Item Cost Date Required Final Date EB Amount Item Description No commas or \$ **Delayed Costs** \$0 \$0 \$0 Equipment 0.00 \$0 Buildings 0.00 \$0 \$0 0.00 \$0 \$0 \$0 Other (as needed) Engineering/construction 0.00 \$0 \$0 0.00 n/a Land Record Keeping System 0.00 \$0 \$0 \$0 \$0 Training/Sampling 0.00 \$0 0,00 Remediation/Disposal \$0 \$0 \$4 Permit Costs 0.00 \$0 Other (as needed) 0.73 Estimated cost to accurately prepare and submit an updated UST registration and obtain a current valid TCEQ delivery certificate. The date required is the date of the investigation and the final date is the Notes for DELAYED costs expected date of compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** 0.00 Disposal Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling 0,00 \$0 \$0 \$0 0.00 \$0 \$0 \$0 \$0 Supplies/equipment \$0 \$0 Financial Assurance [2] 2.36 7-Apr-2009 \$12 \$100 \$100 ONE-TIME avoided costs [3]

\$200

The estimated avoided cost (\$100 per full year) to accurately prepare and submit an updated UST registration and obtain a TCEO delivery certificate. The date required is the UST installation date of April

7, 2009 and the final date is the investigation date.

TOTAL

\$115

Other (as needed)

Notes for AVQIDED costs

Approx. Cost of Compliance

	ate 15-Oct-2010	Docket No. 2010-1700-PST-E	P¢W
	ent PSJS ENTERPRISES INC dba	Texaco Beer & Wine	Policy Revision 2 (September 2002)
Case ID			PCW Revision October 30, 2008
Reg. Ent. Reference Media (Statu	te] Petroleum Storage Tank		NAME OF THE PARTY
Enf. Coordina			ve (Adder
Violation Num			
Rule Cit	30 Tex. Admin. Code § 3	34.8(c)(5)(A)(I) and Tex. Water Code § 26.3	3467(a)
Violation Descrip	certificate before accept	to a common carrier a valid, current TCEQ d ing delivery of a regulated substance into th ent received five deliveries of fuel without a certificate.	e UST.
		Ba	se Penalty \$10,000
>> Environmental. Pro	perty and Human Health	Matrix	
	Harm		7
OR Rele	ase Major Moderate tual	Minor	:
Pote		X Percent 5%	made or in contract of the con
			j.
>> Programmatic Matri		A control of the cont	
Falsificat	on Major Moderate	Minor Percent 0%	
		Percent 0%	The state of the s
Human	nealth or the environment will or o	ould be exposed to insignificant amounts of	collutants
	ild not exceed levels that are prote	ective of human health or environmental rec	
Notes	result	of the violation.	
The Cales of the Training and Training of the Cales of th			#0 F00
	factoring graphics are and the recognish of the relation of th	Adjustment	\$9,500]
			\$500
Violation Events			
Numbe	of Violation Events 5	5 Number of violation	days
		Land to the state of the state	2.00
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	weekly monthly		· richanum
mark only	one quarterly	Violation Bas	se Penalty \$2,500
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	annual	,	
	single event x		
	Five single events (one ev	vent per delivery) are recommended.	
			60
Good Faith Efforts to C		Reduction NOV to EDPRP/Settlement Offer	\$0
•	Extraordinary [The state of the s
	Ordinary		and the state of t
	N/A X	(mark with x)	1
	The Respond	ent does not meet the good faith criteria for	i
	Notes	this violation.	
			U ;
		Violation	n Subtotal \$2,500
Esonomia paratic /EDN		Carrie (Carrie Company)	
Economic Benefit (EB)	ior dus violation	Statutory Limi	
Esti	mated EB Amount	\$0 Violation Final Per	nalty Total \$2,860
	Thie viol	lation Final Assessed Penalty (adjusted	for limits) \$2,860
A STATE OF THE STA			

Violation No.	Petroleum Sto	rage Tank				Percent Interest	Years of Depreciation
y Joia Livia i No.	Francisco de la companya della companya della companya de la companya de la companya della compa		cui anti in	44.4	2	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description					ALCOHOLD ALCOHOLD		
Delayed Costs		ochen fina	Desire II - 11		7500 ogen		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a⊕∞ ≔	\$0
Record Keeping System			*	0.00	\$0 .	≕ ≕ n/a 🛶 🕸	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	i in/a :≓.;	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	L			0.00	\$0.	n/a	\$0
Notes for DELAYED costs					ded in violation no	, 1. foi⊱one≞time avoic	led costs)
Austriaat Caata	ANNHAL		COSCO DCIOIC	0.00	\$0	\$0	\$0
Avoided Costs	ANNUAL	1		1 12 131 1		I	
Disposal	ANNUAL		\- 			\$0	\$0
Disposal Personnel	ANNUAL		· · · · · · · · · · · · · · · · · · ·	0.00	\$0	\$0 \$0	\$0 \$0
Disposal Personnel spection/Reporting/Sampling	ANNUAL			0.00	\$0 \$0	\$0	\$0
Disposal Personnel nspection/Reporting/Sampling Supplies/equipment	ANNUAL			0.00 0.00 0.00	\$0		
Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL			0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0	\$0 \$0
Disposal Personnel nspection/Reporting/Sampling Supplies/equipment	ANNUAL			0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0

Scre	ening Date	15-Oct-2010 Docket No. : 2010-1700-PST-E	PCW
F	Respondent	PSJS ENTERPRISES INC dba Texaco Beer & Wine Policy	Revision 2 (September 2002)
· ·	Case ID No.		W Revision October 30, 2008
Reg. Ent. Re			
		Petroleum Storage Tank	
	Coordinator		
Viol	ation Number		
	Rule Cite(s)	30 Tex. Admin. Code § 37,815(a) and (b)	
Violatio	n Description	Failed to demonstrate acceptable financial assurance for taking corrective action for compensating third parties for bodily injury and property damage caused be accidental releases arising from the operation of the petroleum UST.	
		Base Pen	alty \$10,000
>> Environme	ntai, kroper	ty and Human Health Matrix Harm	
¥	Release	Major Moderate Minor	
OR	Actual		
	Potential	Percent 0%	
			a de la companya de l
>>Programma	Falsification	Major Moderate Minor	b and a second
	raisincación	x Percent 10%	. C.
	Limitari manining da carand	20.01	residence of
	<u> </u>		
Matrix		100% of the rule requirement was not met.	
Notes			
	<u>μ</u>		
A Company of the Comp	Mag C. Landbarr, J. Prijanov, Bayeline of Service Analysis, and C. Landbarr, C. Lan	sticklich 49, 49, 49, 49, 49, 49, 49, 49, 49, 49,	000
•			\$1,000
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Violation Event		ra engrue, armena en indirector divintor i sombra en en entre en altre de la caración de la comercia de la come	14 / 20 ming 14 / 20 ming 16 / 20 ming
	Number of V	Violation Events 1 388 Number of violation days	
		dally weekly monthly	
	mark only one with an x	quarterly Violation Base Pen	alty \$1,000
		esemiannual#	
		single event x	
	1	A STATE OF THE STA	
			•
		One single event is recommended for the UST at the Station.	
;			
		10.000 Bright State of the Control o	\$100
Good Faith Effo	ets to com	10.0% Reduction Before NOV NOV to EDPRE/Settlement Offer	\$100
		Extraordinary	
		Ordinary 3	
		N/A (mark with x)	Ì
•		The Respondent came into compliance on October 7,	
:	-	Notes 2010 after the NOE dated October 6, 2010.	
:		The state of the s	
:		Violation Subt	otal \$900
		Violation Subt	42001
Economic Bene	fit (EB) for	this violation Statutory Limit Tes	
-	Estim-t	ed EB Amount \$693 Violation Final Penalty T	otal \$1,035
!	Estinati	THE AMOUNT WOOD WINDOWN HIGH PERMITY	41,000
The second secon	wii ihwwiinim philipi ma pietia e pro-	This violation Final Assessed Penalty (adjusted for lin	i its) \$1,035
A CONTRACTOR OF THE PROPERTY O		The state of the s	and the contract of the contra

Case ID No.	PSJS ENTERPS 40555	Z ONOMIC RISES INC dba Te			rksneet		
eg. Ent. Reference No. Media Violation No.	Petroleum Sto					Percent Interest	Years of Depreciation
	And the second second		u jaitus ja			5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$			•	and the same of th		
Delayed Costs					1 121 July 201	ta sin aran	
Equipment		i i i i i i i i i i i i i i i i i i i		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$ 0	an/a a si si si	\$0
Record Keeping System				0.00	\$0	≝n/a.+≪± s	\$0
Training/Sampling			-1-200	0.00	\$0	n/a. A	\$0
Remediation/Disposal				0.00	\$0	n/a 3 3	\$0
Permit Costs				0.00	\$0	x n/a	\$0
Other (as needed)			***************************************	0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	ΔΝΝΙΔΙ	IZE 141 avoided	costs before	nterir	guitem (except	for one-time avoid	led costs)
Disposal				0.00	\$0	\$0	\$0
Personnel			· · · · · · · · · · · · · · · · · · ·	0.00	.\$0	\$0	\$0
pection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	. \$0	\$0	\$0
Financial Assurance [2]	\$660	14-Sep-2009	7-Oct-2010	1.00	\$33	\$660	\$693
ONE-TIME avoided costs [3]			*********	0.00	\$0	\$0	\$0
	-		***************************************	0.00	\$0	\$0	\$0
Other (as needed)	Estimated cos	it to provide finan	cial assurance f			rhe date required is	
Notes for AVOIDED costs					inal date is the co		
Approx. Cost of Compliance		\$660			TOTAL		\$693

	ening Date		PCW
			Policy Revision 2 (September 2002)
	lase ID No.		PCW Revision October 30, 2008
Reg. Ent. Rei			
		Petroleum Storage Tank	
	Coordinator	Judy Kluge	and the state of t
Viol	ation Number	4	
	Rule Cite(s)	30 Tex. Admin. Code § 334.50(b)(2)(A)(i)(III) and Tex. Water Code § 26.	3475(a)
			A CONTRACTOR OF THE CONTRACTOR
			The second secon
	_	Falled to test the line leak detector at least once per year for performant	
Violatio	n Description	operational reliability. Specifically, the line leak detector was not perform	nance
		tested by the due date of July 22, 2010.	1
		n	h1t 410 000
•		Base	Penalty \$10,000
>> Environme	ntal. Proper	iy and Human Health Matrix	A. A
		Harm -	**************************************
	Release	Major Moderate Minor	- ·
OR	Actual		
age of the second	Potential	X Percent 25%	9.00
			Quarter Williams
>>Programma	Falsification	Major Moderate Minor	111111111111111111111111111111111111111
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	raisineacion	Percent 0%	and the state of t
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		The state of the s	1
Matrix	Human health	or the environment will or could be exposed to pollutants which would exce	ed levels
Notes	that are p	otective of human health or environmental receptors as a result of the viola	tion.
444			
Eltor a liparella		Adjustment	\$7,500
****		,	10.500
			\$2,500
Violation Event			
Aloignotticaciti			AND
	Number of \	lolation Events 1 54 Number of violation d	lays
		(https://doi.org/10/10/10/10/10/10/10/10/10/10/10/10/10/	1
		dally	· · · · · · · · · · · · · · · · · · ·
		Weekly	#P1 **
	mark only one	der view monthly seven	
<u> </u>	with an x	quarterly Violation Base	Penalty \$2,500
•		semiannual	Table 1
:		annual x	-
:		single event.	
1	One annual e	vent is recommended for the period preceding the September 14, 2010 inve	stigation
:		date.	
Good Faith Effo	orts to Com		\$625
		Before NOV NOV to EDPRP/Settlement Offer	**************************************
		Extraordinary	and the second s
		Ordinary x	
		N/A (mark with x)	***************************************
		The Respondent came into compliance on September 14,	With the state of
		Notes 2010 prior to the NOE dated October 6, 2010.	and the second s
1			:
		Violation	Subtotal \$1,875
1	Wagner		
Economic Bene	fit (EB) for	this violation Statutory Limit	Test
	gm - 4.5	150 A	Ib. Tabal
•	Estimat	ed EB Amount \$116 Violation Final Pena	Ity Total \$2,179
		This violation Final Assessed Penalty (adjusted fo	or limits) \$2,179

Cost Date Required	Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	5.0 Onetime Costs \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	Depreciation 1! EB Amount \$0 \$0 \$0 \$0 \$0 \$0
	Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
	Final Date	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0
as or \$		0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0
		0.00 0.00 0.00	\$0 \$0	\$0 \$0	\$0
		0.00	\$0	\$0	
		0.00			
				in/a wite	\$0
	in a second seco	0.00	\$0	n/a	\$0
	II .	0.00	\$0	n/a	\$0
		0.00	\$0.	: n/a :	\$0
		0.00	\$0	n/a	\$0
		0.00	\$0	-n/a	\$0
				· ·	March 1887 Trans.
				:	
				1	
4	1				
VIIALTZE III avoide	Costs hefore	enterir	a item (except	for one-time avoic	led costs)
TONELLE [25] GROUGE	1				\$0
					\$0
- 	1				\$0
	1				\$0
					\$0
0 22-Jul-2010	14-Seo-2010	1.07		\$110	\$116
		0.00	\$0	\$0	\$0
			0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0	0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0	0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0 22-Jul-2010 14-Sep-2010 1.07 \$6 \$110

Scre	ening Date	15-Oct-2010		Docl	ket No. 2010-1700-PST-E	PCW
	Respondent		ISES INC dba	Texaco Beer &	Wine	Policy Revision 2 (September 200)
	Case ID No.					PCW Revision October 30, 200
Reg. Ent. Re	ference No.	RN100536549				
Medi	ia [Statute]	Petroleum Stor	rage Tank			
	Coordinator		_			
Viol	ation Number	5				
•	Rule Cite(s)		20	Tex. Admin. Co	do 6 224 10(b)	
:				Tex. Admin Go	ge g 334.10(b)	

						<u> </u>
Violatio	n Description	Falled to main			and make them immediately	avallable
T, Did Cit	n Description		for the inspe	ction upon requ	est by agency personnel.	
:		4.5				
		ينين خنين المسترات المسترات				
					D =	Penalty \$10,00
		•			Base	Penalty \$10,00
>> Environme	ntal Prance	ku ana Bron	an Haalth	Matrix		
	THE PROPERTY OF THE PROPERTY O	Ly direction	Harm	BIOTHY	entities in the second	
	Release	Major	Moderate	Minor		•
QR ₂	Actual	(*				
	Potential				Percent 0%	
e de la companya de l			h	<u> </u>	<u></u>	
>>Programma	tic Matrix			7 1 1 1 7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	And the state of t	
	Falsification	Major	Moderate	Minor	Acceptant this grows as a second of the seco	
		Х			Percent 10%	
43.4	<u> </u>			H-H-H-H-H-H-H-H-H-H-H-H-H-H-H-H-H-H-H-		
72					· ·	
Matrix		10	00% of the rule	e requirement v	vas not met.	1
Notes		ta a g			-	
	L			ni situ distractivativati anno ancaritimatima e		
	 C. S. Steiner, and the state of the state of	en en yang palam Pengunah Berapi bang berapanah bang bahan berapa bang bahan berapa berapa berapa berapa berap Berapa bang bang berapa bang berapa berapa Berapa berapa			Adjustment	\$9,000
* SONY TRANSPORT COMMENTS OF THE PROPERTY OF T	A richar silali non manuscripping pages amportantes in the span	A TO ACTION AND A TO A SECURE OF THE PROPERTY	and the second s	Andreas and the second	N 1 0 € 10 0 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
						\$1,00
	186 T. 188 188 188 188 188 188 188 188 188 188 188 188 188 188 188.		274 x Source de construe antida como en constituido de como			William to the total the
Violation Event	5					teritori na regio que est
	84l£ \ 4			[1
	Number of V	lolation Events	1		31 Number of violation of	ays
	I.		puntura			
	1	dally				
•		weekly				
	mark only one	monthly			Violation Base	Penalty \$1,00
	with an x	quarterly semiannual			Violation base	p1,00
		annual	***************************************			
		single event				
	1.	- angle-evenes				
I	T					
	One single eve	ent is recomme			n of the violation during the Se	ptembër
			14, 20	010 Investigation	า.	ŀ
ı	<u> </u>	<u> </u>		<u>~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~</u>		- Landing Control of the Control of
Good Faith Effo	rts to Comp		0.0%	Reduction		\$
	ningan di ang	ast Zambo is to a member that it ame		NOV to EDPRP/Sett	lement Offer	Y NO. MANUAL ENGINEERS
	I	Extraordinary				
		Ordinary				
		N/A	X	(mark with x)		
				,	1	
		Notes	The Respond		et the good faith criteria for	
:				this vic	elation.	
		L		***************************************		
					Violation	Subtotal \$1,00
	a company to the contract of t	ter de servelo advenso	e galante a company and a comp			
Economic Bene	fit (EB) for i	this violatic	n reygyddia	A TOTAL CONTROL OF THE CONTROL OF TH	Statutory Limit	Test

	Estimate	d EB Amount[\$18	Violation Final Pena	Ity Total \$1,14
			This viol	lation Final Ac	sessed Penalty (adjusted fo	or limits) \$1,14
Table 1			IIII VIQ		seesed remarky (bojusted it	, , , , , , , , , , , , , , , , , , ,
		arara arar arar arar arar arar arar ar		appropriate the second of the	control of the contro	Provider in the section of the contract of the

Respondent Case ID No.	PSJS ENTERP	CONOMIC RISES INC dba Tex	ED. MUNICE		rksheet		
Reg. Ent. Reference No.	RN100536549 Petroleum Sto	rage Tank				Percent Interest	Years of Depreciation
Violation No.	ing to be				3113.5	5.0	15
in the second se	Tfain Cart	Make Deguleed	Ginal Date	Vrc	Interest Sayor	Onetime Costs	EB Amount
Item Description			rmar pate	. ,,,	211101031303		
Delayed Costs	e de la companya de l	A			1.02411		
Equipment			The state of the s	0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a - n/a	\$0
Record Keeping System	\$500	14-Sep-2010	8-Jun-2011	0.73	\$18	n/a 🖖	\$18
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal			1.02A	0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	i en/a	\$0
Other (as needed)				0.00	\$0	' v n/a - '' : □	\$0
Notes for DELAYED costs Avoided Costs			the exped	ted dat	e of compliance.	stigation date and t	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)			·	0.00	\$0	\$0	\$0
, ,							
Notes for AVOIDED costs		`.					
Approx. Cost of Compliance	414 - 41-44-44-44-44-44-44-44-44-44-44-44-44-4	\$500			ТОТА		\$18

.

	ening Date				ket No. 2010-1700-PST-E		PCW
		PSJS ENTERPR	ISES INC dba	Texaco Beer &	Wine	•	2 (September 2002)
	Case ID No.					PCW Revision	on October 30, 2008
Reg. Ent. Rei		RN 100536549 Petroleum Stor	ago Tank				1
	Coordinator		age rank				ben streeth
	ation Number						
	Rule Cite(s)	(military manager of the contract of the cont	30.	Tay Admin Co	via 5 224 48/n)		Men pro
			30	rex. Admin. Co	ode § 334.48(c)		-
		Falled to condu	ict effective m	anual or autom	atic inventory control procedu	res for floa	7777
Violatio	n Description				eum substances used as motor		and the same of th
		1		·			***************************************
					Dag	e Penalty	\$10,000
					pas	e remaity	\$10,000
>> Environmen	ntal, Propei	ty and Hum	an Health	Matrix			A STATE OF THE PARTY OF THE PAR
			Harm				Water a ve
OR	Release Actual	(Moderate	Minor			i of edition for
	Potential				Percent 25%		1 11
A THE SALE OF	, occition	<u> </u>	الجسيسيسيسيسيكال		23 70		**************************************
>>Programma	tic Matrix	A CONTRACTOR OF THE PROPERTY O		age and the second seco			W
	Falsification	Major	Moderate	Minor			
		<u> </u>			Percent 0%		and the second
	T						and apply a DA
Matrix					to pollutants which would exc		ndibu impol
Notes	that are p	rotective of hum	ian health or e	environmental r	eceptors as a result of the viol	lation.	in a for definition
	Lidpressment annua						to or the section of
					Adjustment	\$7,500	
						 -	\$2,500
						<u> </u>	\$2,500
Violation Event	s elenar					part of the second of the seco) A series of
				[]		1	B.:04 W 173
	Number of	Violation Events	<u> </u>	<u> </u>	31 Number of violation	days	a partito with
		dally					-
		weekly					A William
	mark only one	monthly					
	mark only one with an x	quarterly =	X		Violation Bas	e Penaity	\$2,500
		semiannual					
:		annual single event					
		anigle-evene	L				-
				and the street	nentation of the violation durin	- 61	
					per 15, 2010 screening date.	grie	
Į							
Good Faith Effe	ula la cak	Market State of the Control of the C	0 no%	Reduction			\$0
doon tarn Elic	Mestracom			NOV to EDPRP/Set	ttlement Offer	94.441	, po
		Extraordinary					a. Journal of
		Ordinary					1
		N/A	x	(mark with x)		•	
		1	The Respond	ent dives not m	reet the good faith criteria for		
		Notes	The Respond		ofation.		9
			<u> </u>	na productiva de la compansión de la compa			
					Violation	Subtotal	\$2,500
ر معوالی و	ere i gener i British ogsattirationisti er enerteer		Spiragene aas la bai'a	an againg and and decreases a special decrease of an Architecture			
Economic Bene	fit (EB) for	this violatio	mi i	Name of the second of the seco	Statutory Limi	t Test	
	Estimat	ed EB Amount		\$18	Violation Final Pen	alty Total	\$2,860
		`				· <u> </u>	
			This vio	lation Final As	ssessed Penalty (adjusted t	ror limits)	\$2,860
		Action of Charles and Carlotte August			NAMES OF THE OWN OF STREET OF THE PROPERTY OF	CALL CONTRACTOR	A STATE OF THE PARTY OF THE PAR

Case ID No.	PSJS ENTERPR 40555	CONOMIC: ISES INC dba Tea				The Control of the Co	記述した選挙委員がより
eg. Ent. Reference No. Media Violation No.	Petroleum Sto	rage Tank			:	Percent Interest	Years of Depreciation
Alolation Mo.	Tananan	e e č	i Taligrafia di Tali	ti iji		5.0	15
t i dita.	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
Delayed Costs			jung dift				aa gadgi
Equipment				0,00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0 \$0
Engineering/construction				0.00	\$0	\$0 ≰/ n/a €	\$0 \$0
Land		7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	51 - 86.7	0.00	\$0	n/a .	\$18
Record Keeping System	\$500	14-Sep-2010	8-Jun-2011	0.00	\$18 \$0	1//a 2 II/a	\$0
Training/Sampling				0.00	\$0 \$0	n/a	\$0 \$0
Remediation/Disposal Permit Costs		<u> </u>		0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	r s = n/a -831	\$0
Notes for DELAYED costs	used as moto	or fuel. The date	required is the dat	date of e of co	the investigation mpliance.	retall sale of petrole and the final date is	the expected
Avoided Costs	ANNUAL.	LZE [1] avoided	costs perore			for one-time avoi	
Disposal			· · · · · · · · · · · · · · · · · · ·	0.00	\$0	\$0 \$0	\$0 \$0
Personnel				0.00	\$0 \$0	\$0 \$0	\$0
spection/Reporting/Sampling				0.00	\$0 \$0	\$0	\$0
Supplies/equipment				0.00	\$0 \$0	\$0	\$0
Financial Assurance [2] ONE-TIME avoided costs [3]				0.00	\$0 \$0	\$0	\$0
Other (as needed)	·····			0.00	\$0 \$0	\$0	\$0
Notes for AVOIDED costs		<u> </u>	Jacobs Antoniorano de Constitución de Constitu	1 - X11 W - X11			-

\$500

Approx. Cost of Compliance

	ening Date		Docket No. 2010-1700-PST-E	PGW
	-	PSJS ENTERPRISES INC dba Texa	co Beer & Wine	Policy Revision 2 (September 2002)
Reg. Ent. Ref	ase ID No.	·		PCW Revision October 30, 2008
		Petroleum Storage Tank		a company
Enf. C	oordinator			· ·
Viola	ition Number	7		The state of the s
	Rule Cite(s)	30 Tex. Ad	dmin. Code § 334.8(c)(5)(C)	
				
Violatio	n Description	permanently applied upon or nonremovable point in the imm	e tag, label, or marking with the tank num affixed to either the top of the fill tube o ediate area of the fill tube for each regula registration and self-certification form.	rto a
			Base	e Penalty \$10,000
>> Environmen	ital, Proper	y and Human Health Mai Harm	IIX	:
	Release	-	1inor	
OR	Actual			
	Potential		Percent 0%	
>>Programmat	ić Matrix	A Committee of the Comm		
To see the second	Falsification	Major Moderate N	4lnor	
		×	Percent 10%	
Matrix		100% of the rule rec	quirement was not met.	
Notes		. ,		
1,000 E				
The state of the s		To Whater program on the Color Company to the Annual Color Color Annual Color	Adjustment(\$9,000
				\$1,000
	B			And the second s
Violation Event		After the control of	A CONTROL CONT	militari mangangan (1) 1 menghang Pangangan Mangang Mangang Pangang Pangang Mangang Pangang
•		1	31 Number of violation	days
	mark only one with an x	dally weekly monthly quarterly semiannual	Violation Base	e Penalty \$1,000
		annual x		
	One single ev		cumentation of the violation duffing the Se investigation.	ptember
Good Faith Effo	ric to Com	0.0% Red	ledon	\$0
doon ann end		Before NOV NOV	to EDPRP/Settlement Offer	7
		Extraordinary		7.17.19
1		Ordinary		
			k with x)	1
:		Notes The Respondent	does not meet the good faith criteria for this violation.	
			Violation	Subtotal \$1,000
	*		SEED, ETE ALCES AND A CLOSEN AND ESTATE OF THE AND ASSESSMENT AND ASSESSMENT OF THE AND ASSESSMENT OF THE ASSESSMENT OF	Service and the service of the servi
Economic Bene	iit (EB) lor	ine violatiou	Statutory Limit	
:	Estimat	d EB Amount	\$4 Violation Final Pen	alty Total \$1,144
		This violation	on Final Assessed Penalty (adjusted f	or limits) \$1,144
Section 1				

는 경기를 받았습니다. 		conomic	Reneut	WO	rksneet		
■ *** *** *** *** *** *** *** *** *** *		RISES INC dba Te:	xaco Beer & WI	ne			
Case ID No.							
Reg. Ent. Reference No.	RN100536549					And Area and an area and a second a second and a second a	
Media	Petroleum Sto	rage Tank				Percent Interest	Years of
Violation No.		,				seccetic Tureteer	Depreciation
Violation 1199	ได้ระบบการ		ING BURGA ACT			5.0	15
	Îtem Cost	Date Required	Final Date	Yrs	Interest Saved	Tanananananyananyanananananananan	EB Amount
Item Description	No commas or \$						
· · · · · · · · · · · · · · · · · · ·							
Delayed Costs				2 4	2		. 1.
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	⊊ ##in/a,	\$0
Record Keeping System				0.00	\$0	a n 4854n/a	\$0
Training/Sampling	,		:	0.00	\$0	, : п/a	\$0
Remediation/Disposal				0.00	\$0	kn/a	\$0
Permit Costs				0.00		n/a ·	\$0
Other (as needed)	\$100	14-Sep-2010	8-Jul-2011	0.81	\$4	n/a	\$4
Notes for DELAYED costs	date re	equired is the inve	stigation date a	ind the	final date is the e	a label to each UST xpected date of com	pliance.
Avoided Costs	ANNUAL	IZL 11 avoided	COSCS DETORES	0.00		\$0	\$0
Disposal Personnel		 		0.00	\$0 \$0	\$0	\$0
nspection/Reporting/Sampling		 		0.00	\$0 \$0	\$0	\$0
Supplies/equipment				0.00	\$0 \$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0 \$0	\$0
ONE-TIME avoided costs [3]		 		0.00	\$0	\$0	\$0
Other (as needed)				0.00		\$0	\$0
odici (as necucu)		<u> </u>		1 2194	!::::::::::::::::::::::::::::::::::::	<u> </u>	
Notes for AVOIDED costs							
Approx. Cost of Compliance	Landau para de la companya de la com	\$100		. ,,	TOTAL		\$4

•

Scr	eening Date	15-Oct-2010	Dock	cet No. 2010-1700-PST-E	Economic Company Compa
			SES INC dba Texaco Beer & \		Policy Revision 2 (September 20)
	Case ID No.				PCW Revision October 30, 20
Reg. Ent. Re					
		Petroleum Stora	age Tank		
	Coordinator lation Number				
*10	Rule Cite(s)	<u> </u>			
		.30	Tex. Admin. Code §§ 334.42	(I) and 334,45(@)(1)(E)(IV)	
Violati	on Description	containers or c 60 days to maintained liqui contained liqui	pect all sumps including the catchment basins associated wo assure that the sides, botton id-tight and free of any liquid d and debris. Also, falled to concluding the dispenser sumps secondarily contains	vith the UST system at least ms, and any penetration poin or debris. Specifically, the s conduct annual tightness insp s or manways associated with	once every ts are pill buckets pections of
				Bas	se Penalty \$10,0
>> Environme	ntal, Proper	ty and Huma	an Health Matrix		
	Release	Major	Harm Moderate Minor		
OR	Actual	The state of the s	Moderate Pillor		
	Potential		X	Percent 10%	
				Lagrangia, magaming	•
>>Programma				Approximation of the control of the	
	Falsification	Major II II	Moderate Minor	Percent 0%	
	Linia and and	<u> </u>		rescence 070	1
2 4.00.094-216.	Human hea	Ith or the enviror	nment will or could be expose	of to significant amounts of p	ollutants
Matrix			that are protective of human		
Notes			result of the violation	h	
	<u> Campanananananananananananananananananana</u>				
The state of the s	Landon Assessment Company of the Com			Adjustment	\$9,000
					\$1,0
		anamentations			2002 No. 100 April 100 Apr
/iolation Even	ts	Control of the state of the sta	A STATE OF THE STA	The state of the s	Section 19
		r		31 Number of violation	davs
	mark only one with an x	daily weekly monthly quarterly semiannual		Violation Bas	
		annual	http://www.companioned.ide.org/publisher insulan		
		single event (
			commended based on docum 10 investigation to the Octob		ng the
Good Faith Eff	orts to Com	ðið er en f	0.0% Reduction	And the second s	Control of the Contro
······································	1960: 10 160: 30 (1960: 65) ***********************************	T2	Before NOV NOV to EDPRP/Sett	tlement Offer	cosmorars, we migration the migration of the comment of the commen
		Extraordinary	THE PROPERTY OF THE PROPERTY O		
		Ordinary			
		N/A	X (mark with x)		ii .
		Notes	The Respondent does not me this vio		
	And the control of th		Address of the second s	SOURCE AND ADDRESS OF THE PROPERTY OF THE PROP	n Subtotal \$1,0
Economic Ben	efit (EB) for	this violatio		Statutory Limi	t Tost
	Estimat	ed EB Amount	\$215	Violation Final Per	nalty Total \$1,1
		czywa co sympa sympanie	This violation Final As	sessed Penalty (adjusted	for limits) \$1,1
ASSESSED TO THE REAL PROPERTY.					Approximate the second

leg. Ent. Reference No. Media Violation No.	Petroleum Sto	orage Tank				Percent Interest	Years of Depreciation
	ing the			Ą. J		5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	and the first of t						
Dalovad Pasta		e make each	e garbone	7. T. S.A.		raia.	
Delayed Costs	<u> </u>	1		0.001	\$0	T \$0	\$0
Equipment Buildings				0.00	\$0	\$0	\$0
Other (as needed)		\ 		0.00	\$0	\$0	\$0
Engineering/construction		 		0.00	\$0	\$0	\$0
Land		<u></u>		0.00	\$0	an/a = 3	\$0
Record Keeping System		 	····	0.00	\$0	h/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	<u> </u>	<u> </u>		0.00	\$0	n/a	\$0
Other (as needed)		 		0.00	\$0	n/a	\$0
Notes for DELAYED costs			6		1 Section 1	for one-time avoi	dad nocts)
Avoided Costs	ANNUAL	TTE [1] avoided	costs before			\$0	\$0
Disposal		<u> </u>		0.00	\$0 \$0	\$U \$0	\$0 \$0
Personnel		 		0.00	\$0 \$0	\$0	\$0 \$0
spection/Reporting/Sampling		<u> </u>		0.00	\$U \$0	\$0	\$0 \$0
Supplies/equipment		<u> </u>		0.00	\$0 . \$0	\$0 \$0	\$0
Financial Assurance [2]	\$100	16-Jul-2010	14-Sep-2010	1.08	\$5	\$100	\$105
Bi-monthly Inspections	\$100	14-Sep-2009	14-Sep-2010		\$10	\$100	\$110
Annual Inspections	Estimated	d avolded cost to o	lean the spill b	uckets a	and conduct bimo	nthly inspections of	the overfill
	containers or the investiga	ition date. Estima	ted avoided co	st to cor	iduct annual insp	e investigation and ections of the sump I date is the investig	s or manways.
Notes for AVOIDED costs		required is one ye	ar prior to the	il i v Cacigi	adon ano and ima		, and an acceptance of

Screening Date 15-Oct-2010 Docket No. 2010-	.700-PST-E PGW
Respondent: PSJS ENTERPRISES INC dba Texaco Beer & Wine	Policy Revision 2 (September 2002)
Case ID No. 40555	PCW Revision October 30, 2008
Reg. Ent. Reference No. RN100536549	
Media [Statute] Petroleum Storage Tank Enf. Coordinator Judy Kluge	
Violation Number 9	
	and a series
Rule Cite(s) 30 Tex. Admin. Code § 115.246(7)(A) and Tex. Health & Sa	ety Code § 382.085(D)
Failed to maintain Stage II records at the Station and ma	te them immediately
available for review upon request by agency personnel.	
Violation Description monthly inspections records, maintenance records, a cop	
Resources Board Executive Order, and the Stage II test re-	uits were flot available
	Base Penalty \$10,000
>> Environmental, Property and Human Health Matrix Harm	The state of the s
Release Major Moderate Minor	
OR Actual	
Potential Perce	nt 0%
>>Programmatic Matrix Falsification Major Moderate Minor	
y asincation Major Moderate Million	nt 10%
Matrix 100% of the rule requirement was not met,	
NOLES NOLES	
	N. C. Paris
Adjusting	ijt[\$9,000]
	\$1,000
* C problem for the finance and the contract of the contract o	TALLETTING BALLET AND THE SECTION OF
Violation Events	ment i hand destra della control della della della della control della della control d
Number of Violation Events 1 31 Numb	r of violation days
· · · · · · · · · · · · · · · · · · ·	1 01 110141011 4070
- Comment of the comm	
The state of the s	
mark only one monthly	d 000
with an x semiannual s	olation Base Penalty \$1,000
annua	Party of
single event. X	
The state of the s	
One single event is recommended based on documentation of the violation	during the September
14, 2010 investigation.	
Good Faith Efforts to Comply 0.0% Reduction	\$0
Before NOV NOV to EDPRP/Settlement Offer	
Extraordinary	
Ordinary	
N/A x (mark with x)	
The Respondent does not meet the good fall	ı çriteria för
Notes this violation.	
Leaves at some an energy and a supply of the	
	Violation Subtotal \$1,000
The state of the s	
Economic Benefit (EB) for this violation Stat	tory Limit Test
Estimated EB Amount \$18 Violati	on Final Penalty Total \$1,144
This violation Final Assessed Penalt	(adjusted for limits) \$1,144
	/ mm] marcon to: intited / i

	Petroleum Sto	rage Tank					Years of Depreciation
Violation No.	.9	n nasans sa n	·¢		and the second	1	
	ati,					5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		in the second se				-
					, , , , , , , , , , , , , , , , , , , ,	en e	
Delayed Costs	<u> </u>			= }		-	
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction		<u> </u>		0.00	\$0	\$0	\$0
Land.				0.00	\$0	n/a sing	\$0
Record Keeping System	\$500	14-Sep-2010	8-Jun-2011	0.73	\$18	n/a 👙	\$18
					\$0	/in/a	\$0
Training/Sampling				0.00		Committee of the land of the l	
Remediation/Disposal				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal Permit Costs Other (as needed)	Estimated cos	t to maintain Stac	ge II records at	0.00	\$0 \$0 \$0 \$0	n/a	\$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs		the	e final date is th	0.00 0.00 0.00 the Stat	\$0 \$0 \$0 slon. The date re ted date of comp	n/a in/a in/a in/a quired is the investig liance.	\$0 \$0 \$0 sotion date an
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs		the	e final date is th	0.00 0.00 0.00 the Stat e expec	\$0 \$0 \$0 slon. The date re ted date of comp gitem (except	n/a n/a n/a quired is the investig liance. for one-time avoic	\$0 \$0 \$0 gation date an
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal		the	e final date is th	0.00 0.00 the State expec	\$0 \$0 \$0 slon. The date re ted date of comp gitem (except \$0	n/a n/a n/a n/a quired is the investigitance. for one-time avoic	\$0 \$0 \$0 gation date an led costs)
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel		the	e final date is th	0.00 0.00 the State expect	\$0 \$0 \$0 slon. The date re ted date of comp gitem (except: \$0 \$0	n/a n/a n/a quired is the investion liance. for one-time avoid \$0 \$0	\$0 \$0 \$0 gation date an led costs) \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling		the	e final date is th	0.00 0.00 the State e expected of the expected	\$0 \$0 \$0 sion. The date re ted date of comp gitem (except \$0 \$0	n/a n/a n/a quired is the investigitance. for one-time avoid \$0 \$0 \$0	\$0 \$0 \$0 gation date an led costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/equipment		the	e final date is th	0.00 0.00 0.00 the State expect enterin 0.00 0.00 0.00	\$0 \$0 \$0 clon. The date re ted date of comp y item (except \$0 \$0 \$0 \$0	n/a n/a n/a quired is the investigitance. for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0 gation date an led costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]		the	e final date is th	0.00 0.00 the State expected as a state of the state of t	\$0 \$0 \$0 slon. The date re ted date of comp y item (except \$0 \$0 \$0 \$0	n/a n/a n/a n/a quired is the investigitance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 gation date an led costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment		the	e final date is th	0.00 0.00 0.00 the State expect enterin 0.00 0.00 0.00	\$0 \$0 \$0 clon. The date re ted date of comp y item (except \$0 \$0 \$0 \$0	n/a n/a n/a quired is the investigitance. for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0 gation date an led costs) \$0 \$0 \$0

Scre	ening Date	15-Oct-2010	Docket No. 2010-1700-PST-E	PCW
				y Revision 2 (September 2002)
i .	ase ID No.			PCW Revision October 30, 2008
Reg. Ent. Ref				
		Petroleum Stora	age Tank	
	Coordinator		290 TOTAL	
	ation Number			-
Aion				1
\$	Rule Cite(s)	30 Tex. Admi	n. Code § 115.248(1) and Tex. Health & Safety Code § 382.085	5(b)
:		Called be seen	Albantant for the control of the first transfer of the control of the cont	**************************************
			ure that at least one Station representative received training in	
Violatio	n Description		naintenance of the Stage II vapor recovery system, and each cu	
		employee recei	ives in-house Stage II yapor recovery training regarding the pur	rpose
:			and operation of the vapor recovery system.	
			Base Pe	nalty \$10,000
		- marin - San Salina San San San San San San San San San S		
>> Environme	ital, Propei	ty and Huma	an Health Matrix	49 90 9
			Harm	
	Release	Major	Moderate Minor	-
OR	Actual			
	Potential		X Percent 10%	
1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1		Spender and Street Control of	and the second support of the suppor	!
>>Programma		ramanan rama na 1920 (1921) ng	genze um neuron (1990) est per propie de la companie de la propie del la propie de la propie de la propie de la propie del la propie de la propie del la propie de la propie de la propie del la propie de la propie de la propie del la propie de la propie del la propie de la propie de la propie de la propie de la propie del la propie della propieta della pro	
A CONTRACTOR OF THE CONTRACTOR	Falsification	Major	Moderate Minor	•
E CONTRACTO			Percent 0%	and the contract of the contra
	Human hea	Ith or the enviro	nment will or could be exposed to significant amounts of pollutar	nts]
Matrix			that are protective of human health or environmental receptors	
Notes	ALLICH ANGIO	OC CXCCCG (C VC)G	result of the violation.	, 55
			TOSQUE OF BIOCHER PORTER TO THE PORTER TO TH	
	regress energy, all lighted s	waanaan oo ah		0.000
			Adjustment \$	9,000]
				\$1,000
				\$1,000
VILLERIUS PARKS		and the second s	and the second of the second o	\$ 100 0 0 0 0
Violation Event	Š	The state of the s		is fire the fire
Violation Event	200 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2	delettee Eventel	Number of violation days	
Violation Event	200 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2	/lolation Events	1 31 Number of violation days	
Violation Event	200 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2		1 31 Number of violation days	
Violation Event	200 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2	daily	1 31 Number of violation days	
Violation Event	200 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2 m a 2	daily weekly	1 31 Number of violation days	
Violation Event	Number of \	daily		
Violation Event	Number of \	daily weekly	1 31 Number of violation days X Violation Base Per	
Violation Event	Number of \	daily weekly monthly		Account of the Accoun
Violation Event	Number of \	daily weekly monthly guarterly		Account of the Accoun
Violation Event	Number of \	daily weekly monthly quarterly semiannual annual		Account of the Accoun
Violation Event	Number of \	daily weekly monthly guarterly semiannual		Account of the Accoun
Violation Event	Number of N mark only one with an x	daily Weekly monthly quarterly semiannual annual single event	X Violation Base Pe	nalty \$1,000
Violation Event	Number of N mark only one with an x One qual	daily weekly monthly guarterly semiannual annual single event-	X Violation Base Percommended based on documentation of the violation during the	nalty \$1,000
Violation Event	Number of N mark only one with an x One qual	daily weekly monthly guarterly semiannual annual single event-	X Violation Base Pe	nalty \$1,000
Violation Event	Number of N mark only one with an x One qual	daily weekly monthly guarterly semiannual annual single event-	X Violation Base Percommended based on documentation of the violation during the	nalty \$1,000
	Number of Number	daily weekly weekly monthly quarterly semiannual annual single event erterly event is respected by the semiannual annual annual single event weekly event is respected by the semiannual annual	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date.	nalty \$1,000
Violation Event	Number of Number	daily weekly weekly monthly quarterly semiannual annual single event erterly event is respected by the semiannual annual annual single event weekly event is respected by the semiannual annual	x Violation Base Per commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction:	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date.	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual single event expression 14, 20	x Violation Base Per commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction:	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event	x Violation Base Per commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction:	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual single event expression 14, 20	x Violation Base Per commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction:	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer X (mark with x)	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction: Before NOV NOV to EDPRP/Settlement Offer x (mark with x) The Respondent does not meet the good faith criteria for	nalty \$1,000
	Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer X (mark with x)	nalty \$1,000
	Number of N mark only one with an x One qual	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction: Before NOV NOV to EDPRP/Settlement Offer x (mark with x) The Respondent does not meet the good faith criteria for	nalty \$1,000
	Number of N mark only one with an x One qual	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A	x Violation Base Per commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. O.0% Reduction: Before NOV NOV to EDPRP/Settlement Offer x (mark with x) The Respondent does not meet the good faith criteria for this violation.	#1,000 \$1
	Number of N mark only one with an x One qual	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A	Violation Base Percommended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction: Before NOV NOV to EDPRP/Settlement Offer x (mark with x) The Respondent does not meet the good faith criteria for	\$1,000
Good Faith Eff	Number of Number of Number of Number of Number on Number on Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A Notes	Violation Base Per Commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer X (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Substitution	\$1,000
	Number of Number of Number of Number of Number on Number on Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A Notes	Violation Base Per Commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer X (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Substitution	\$1,000 \$1,000 \$0 \$0 \$1,000 \$1,000
Good Faith Eff	Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is re- eptember 14, 20 ply Extraordinary Ordinary N/A Notes	Violation Base Per X Violation Base Per X Commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer X X (mark with x) The Respondent does not meet the good faith criteria for this violation. Violation Substitute Statutory Climit Te	\$1,000 \$
Good Faith Eff	Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is receptember 14, 20 ply Extraordinary Ordinary N/A Notes	x Violation Base Per commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer x ((mark with x)) The Respondent does not meet the good faith criteria for this violation. Violation Substitution Substitution Statutory Climit Te	\$1,000 \$1
Good Faith Effi	Number of Number	daily weekly monthly quarterly semiannual annual single event reterly event is receptember 14, 20 ply Extraordinary Ordinary N/A Notes	Violation Base Per X Violation Base Per X Commended based on documentation of the violation during the 10 investigation to the October 15, 2010 screening date. O.0% Reduction Before NOV NOV to EDPRP/Settlement Offer X X ((mark with x)) The Respondent does not meet the good faith criteria for this violation. Violation Substitution Subst	\$1,000 \$1,000 \$1,000 \$1,000 \$1,144

	RN100536549 Petroleum Sto 10					Percent Interest	Years of Depreciation
						5.0	1!
			Final Date	Yrs	Interest Saved	Onetime Costs	
Item Description	No commas or \$	talt et e i e		:, . ·		efficience en	Version of the State of the
Delayed Costs	deleta de la colo	<u>Jakots Kuraja kan</u>					- armedia side si
Equipment		1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0.	. \$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land		200		0.00	\$0	i in/a	\$0
Record Keeping System				0.00	\$0	in/a 🍇i 🔻	\$0
Training/Sampling]		0.00	\$0	i n/a	\$0
D D				0.00	÷Λ	The state of the s	\$0
Remediation/Disposal		Ji			\$0	n/a	
Permit Costs Other (as needed)	\$500	14-Sep-2010	8-Jul-2011	0.00	\$0 \$20	n/a n/a	\$0 \$20
Permit Costs	Estimated co	st of training a Sta	age II Station n	0.00 0.81 epresen	\$0 \$20 tative and conduct and the fina	n/a	\$0 \$20 training for all
Permit Costs Other (as needed) Notes for DELAYED costs	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresenstigation compli	\$0 \$20 tative and conduct n date and the fina ance.	n/a n/a h/a h/a h/a h/a h/a h/a h/a h/a h/a h	\$0 \$20 training for all ed date of
Permit Costs Other (as needed)	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresenstigation compli	\$0 \$20 tative and conduct n date and the fina ance.	n/a n/a ting In-house Stage al date is the expect	\$0 \$20 training for all ed date of
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresen stigation compli	\$0 \$20 tative and conduct In date and the fina ance. Ing item (except	n/a n/a ting In-house Stage al date is the expect for one-time avoid	\$0 \$20 training for all ed date of
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresen stigatior compli enterin	\$0 \$20 tative and conduct a date and the fina ance. ig item (except	n/a h/a ting In-house Stage al date is the expect for one-time avoic \$0	\$0 \$20 training for all ed date of [ed costs]
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresenstigation compli- enterin	\$0 \$20 tative and conduct date and the fina ance. gitem (except \$0 \$0	n/a n/a ting In-house Stage al date is the expect for one-time avoic \$0 \$0	\$0 \$20 training for all ed date of led costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	epresenstigation complimentering 0.00 0.00 0.00 0.00	\$0 \$20 tative and conduct date and the final ance. gitem (except \$0 \$0	in/a n/a ting In-house Stage al date is the expect for one-time avoic \$0 \$0 \$0 \$0	\$0 \$20 training for all ed date of led costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresen stigatior compli- enterin 0.00 0.00 0.00 0.00	\$0 \$20 tative and conduct date and the final ance. gitem (except \$0 \$0 \$0 \$0 \$0 \$0	in/a in/a ting In-house Stage al date is the expect for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$20 training for all ed date of \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	Estimated co employe	st of training a Sto es. The date requ	age II Station ro ired is the inves	0.00 0.81 epresen stigatior compli enterin 0.00 0.00 0.00 0.00	\$0 \$20 tative and conduct of date and the final ance. Ig item (except \$0 \$0 \$0 \$0 \$0	in/a in/a iting In-house Stage al date is the expect for one-time avoic \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$20 training for all ed date of [ed costs] \$0 \$0 \$0 \$0 \$0

		: 15-Oct-2010		No. 2010-1700-PST-E	PCW
		PSJS ENTERPRISES INC di	oa Texaco Beer & Win	ne	Policy Revision 2 (September 2002)
_	ase ID No.				PCW Revision October 30, 2008
Reg. Ent. Refe					
		Petroleum Storage Tank			
ent. Co	oordinator V12	Company of the Compan			
	Rule Cite(s)		Andrew Marie Committee Com		
	Rule Cite(3)	30 Tex. Admin. Code §	115.245(2) and Tex.	Health & Safety Code § 38	2.085(b)
Violation	n Description	Failed to verify proper op months. Specifically, the	peration of the Stage Stage II testing was 22, 2010.		every 12 date of July
				Bas	se Penalty \$10,000
>> Environmen	tal, Proper	ty and Human Healt	h Matrix		
200 A		Harm			Ī
QR	Release Actual		Minor		
**************************************	Potential			Percent 25%	
		L-	nand frameworking and a second		
>>Programmat	ic Matrix	and the provided of the control of t	N.A. A. M. S. C. M. S. C. S.	Control of the contro	
	Falsification	Major Moderate	Minor		,
		<u> </u>		Percent 0%	l ;
	VI - 1, 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1				
Matrlx		or the environment will or			
Notes	that are p	rotective of human health o	or environmental rece	ptors as a result of the vio	lation.
L					more and the second sec
	The second secon	Annual forms of the second of		Adjustment	\$7,500
75.1.1		2 1 2 1 2 1 2 1 2 1 2 1 1 2 1 1 2 1 1 2 1			
					\$2,500
Violation Events				Control of the contro	
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	oordinator		4 I I PORTO
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	Rule Cite(s)	30 Tex. Admin. Code § 115.242(9) and Tex. Health & Safety Code	§ 382.085(b)
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Compliance History Report

Customer/Respondent/Owner-Operator:

CN603731050

PSJS ENTERPRISES INC

Classification: AVERAGE

Rating: 6.00

Regulated Entity:

RN100536549

TEXACO BEER & WINE

Classification: AVERAGE

26504

Site Rating: 6.00

ID Number(s):

Location:

PETROLEUM STORAGE TANK REGISTRATION

3635 N BELT LINE RD, IRVING, TX, 75062

TCEQ Region:

REGION 04 - DFW METROPLEX

Date Compliance History Prepared:

Agency Decision Requiring Compliance History: Enforcement

October 15, 2010

Compliance Period:

October 15, 2005 to October 15, 2010

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

Judy Kluge

3. If Yes, who is the current owner/operator?

Phone:

(817) 588-5825

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period?

2. Has there been a (known) change in ownership/operator of the site during the compliance period?

Yes PSJS ENTERPRISES INC

4. If Yes, who was/were the prior owner(s)/operator(s)?

Exxon Mobil Corporation

When did the change(s) in owner or operator occur?

03/25/2009

Rating Date: 9/1/2010

Repeat Violator: NO

Components (Multimedia) for the Site:

A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government

В. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

The approval dates of investigations. (CCEDS Inv. Track. No.) D.

> 1 08/29/2006 2 10/05/2010

(489785)(865791)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:

08/29/2006

(489785)CN603731050

Classification:

Classification:

Self Report?

NO 30 TAC Chapter 115, SubChapter C 115.246(6)

Citation: Description:

Failure to maintain a record of the results of the daily inspections conducted at the motor vehicle fuel dispensing facility in accordance with the provisions

specified in §115.244 of this title (relating to Inspection Requirements).

Self Report?

NO

Classification: Moderate

Moderate

Moderate

Citation:

30 TAC Chapter 115, SubChapter C 115.246(3)

Description:

Failure of the owner or operator of any motor vehicle fuel dispensing facility subject to the control requirements of this division (relating to Control of Vehicle Refueling Emissions (Stage II) at Motor Vehicle Fuel Dispensing Facilities) shall

maintain a record of any maintenance conducted on any part of the Stage II Classification: Moderate Self Report? NO

Citation:

30 TAC Chapter 115, SubChapter C 115.245(3)

Failure to submit the results of all tests required by this section to the appropriate Description:

regional office and any local air pollution control program with jurisdiction within

ten working days

Self Report? NO

30 TAC Chapter 115, SubChapter C 115.245(6) Citation:

Description: Failure to submit the results of all tests required by this section to the appropriate

regional office and any local air pollution control program with jurisdiction within

ten working days

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§ .	
CONCERNING	§	TEXAS COMMISSION ON
PSJS ENTERPRISES INC DBA	§	
TEXACO BEER & WINE	§	
RN100536549	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2010-1700-PST-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding PSJS ENTERPRISES INC dba Texaco Beer & Wine ("the Respondent") under the authority of Tex. Health & Safety Code ch. 382 and Tex. Water Code chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a convenience store with retail sales of gasoline at 3635 North Belt Line Road in Irving, Dallas County, Texas (the "Station").
- 2. The Respondent's one underground storage tank ("UST") is not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission. The Station consists of one or more sources as defined in Tex. Health & Safety Code § 382.003(12).
- 3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 11, 2010.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Twenty Thousand Two Hundred Sixty-Three Dollars (\$20,263) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Financial Assurance Section of the Commission's Financial Administration Division reviewed financial documentation submitted by the Respondent and determined that the Respondent is unable to pay part of the administrative penalty. Therefore, Twelve Thousand Fifty-Eight Dollars (\$12,058) of the penalty is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The Respondent has paid Three Hundred Thirty Dollars (\$330) of the undeferred administrative penalty. The remaining amount of Seven Thousand Eight Hundred Seventy-Five Dollars (\$7,875) of the administrative penalty shall be payable in 35 monthly payments of Two Hundred Twenty-Five Dollars (\$225) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Station:
 - a. Obtained financial assurance coverage for the UST on October 7, 2010;
 - b. Successfully conducted the line leak detector test on September 14, 2010; and
 - c. Successfully conducted the annual testing of the Stage II equipment on September 14, 2010.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.

- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Station, the Respondent is alleged to have:

- 1. Failed to register the UST system with the agency, in violation of 30 Tex. Admin. Code § 334.7(a)(1), as documented during an investigation conducted on September 14, 2010. Specifically, the UST installed on April 7, 2009, was not registered with the TCEQ after installation. Also, the registration was not amended to reflect the current ownership information.
- 2. Failed to self-certify the UST system by submitting a properly completed UST registration and self-certification form to the agency within 30 days after the date any regulated substance is placed into the tank, in violation of 30 Tex. Admin. Code § 334.8(c)(4)(B), as documented during an investigation conducted on September 14, 2010. Specifically, fuel was placed into the tank and the Respondent did not self-certify the UST system.
- 3. Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the UST, in violation of 30 Tex. ADMIN. CODE § 334.8(c)(5)(A)(i) and Tex. Water Code § 26.3467(a), as documented during an investigation conducted on September 14, 2010. Specifically, the Respondent received five deliveries of fuel without a delivery certificate.
- 4. Failed to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of the petroleum UST, in violation of 30 Tex. Admin. Code § 37.815(a) and (b), as documented during an investigation conducted on September 14, 2010.
- 5. Failed to test the line leak detector at least once per year for performance and operational reliability, in violation of 30 Tex. ADMIN. CODE § 334.50(b)(2)(A)(i)(III) and Tex. WATER CODE § 26.3475(a), as documented during an investigation conducted on September 14, 2010. Specifically, the line leak detector was not performance tested by the due date of July 22, 2010.
- 6. Failed to maintain the required UST records and make them immediately available for the inspection upon request by agency personnel, in violation of 30 Tex. ADMIN. CODE § 334.10(b), as documented during an investigation conducted on September 14, 2010.
- 7. Failed to conduct effective manual or automatic inventory control procedures for the UST involved in the retail sale of petroleum substances used as motor fuel, in violation of

- 30 TEX. ADMIN. CODE § 334.48(c), as documented during an investigation conducted on September 14, 2010.
- 8. Failed to ensure that a legible tag, label, or marking with the tank number is permanently applied upon or affixed to either the top of the fill tube or to a nonremovable point in the immediate area of the fill tube for each regulated UST according to the UST registration and self-certification form, in violation of 30 Tex. ADMIN. CODE § 334.8(c)(5)(C), as documented during an investigation conducted on September 14, 2010.
- 9. Failed to inspect all sumps including dispenser sumps, manways, overspill containers or catchment basins associated with the UST system at least once every 60 days to assure that the sides, bottoms, and any penetration points are maintained liquid-tight and free of any liquid or debris, in violation of 30 Tex. Admin. Code § 334.42(i), as documented during an investigation conducted on September 14, 2010. Specifically, the spill buckets contained liquid and debris.
- 10. Failed to conduct annual tightness inspections of all sumps, including the dispenser sumps or manways associated with a new secondarily contained UST system, in violation of 30 Tex. Admin. Code § 334.45(d)(1)(E)(iv), as documented during an investigation conducted on September 14, 2010.
- 11. Failed to maintain Stage II records at the Station and make them immediately available for review upon request by agency personnel, in violation of 30 Tex. Admin. Code § 115.246(7)(A) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on September 14, 2010. Specifically, daily and monthly inspections records, maintenance records, a copy of the California Air Resources Board Executive Order, and the Stage II test results were not available for review.
- Failed to ensure that at least one Station representative received training in the operation and maintenance of the Stage II vapor recovery system, and each current employee receives in-house Stage II vapor recovery training regarding the purpose and operation of the vapor recovery system, in violation of 30 Tex. Admin. Code § 115.248(1) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on September 14, 2010.
- Failed to verify proper operation of the Stage II equipment at least once every 12 months, in violation of 30 Tex. Admin. Code § 115.245(2) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on September 14, 2010. Specifically, the Stage II annual testing was not conducted by the due date of July 22, 2010.
- 14. Failed to post operating instructions conspicuously on the front of each gasoline dispensing pump equipped with a Stage II vapor recovery system, in violation of 30 Tex. ADMIN. CODE § 115.242(9) and Tex. Health & Safety Code § 382.085(b), as documented during an investigation conducted on September 14, 2010.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: PSJS ENTERPRISES INC dba Texaco Beer & Wine, Docket No. 2010-1700-PST-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order:
 - i. Cease accepting fuel until such time as a valid delivery certificate is obtained from the TCEQ by submitting a properly completed UST registration and self-certification form, in accordance with 30 Tex. ADMIN. CODE § 334.8 to:

Registration and Reporting Section Permitting & Registration Support Division, MC 138 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- ii. Begin maintaining all UST records, in accordance with 30 Tex. ADMIN. CODE § 334.10;
- iii. Begin conducting effective manual or automatic inventory control procedures for the UST system, in accordance with 30 Tex. ADMIN. CODE § 334.48; and
- iv. Begin maintaining all Stage II records at the Station, in accordance with 30 Tex. ADMIN. CODE § 115.246.
- b. Within 30 days after the effective date of this Agreed Order:

- i. Ensure that the UST at the Station is properly tagged, labeled, or marked with an identification number that matches the number listed on the UST registration and self-certification form, in accordance with 30 Tex. ADMIN. CODE § 334.8;
- ii. Clean the spill buckets and began conducting bimonthly inspections of all sumps, manways, overfill containers, or catchment basins associated with the UST system, in accordance with 30 Tex. Admin. Code § 334.42;
- iii. Begin conducting annual tightness inspections of all sumps and manways associated with the UST system, in accordance with 30 Tex. ADMIN. CODE § 334.45;
- iv. Ensure that at least one Station representative receives training in the operation and maintenance of the Stage II vapor recovery system, and each current employee receives in-house Stage II vapor recovery training regarding the purpose and operation of the vapor recovery system, in accordance 30 Tex. ADMIN. CODE § 115.248; and
- v. Post operating instructions on the dispensers, in accordance with 30 Tex. ADMIN. CODE § 115.242.
- c. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. through 2.b.v. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 PSJS ENTERPRISES INC dba Texaco Beer & Wine DOCKET NO. 2010-1700-PST-E Page 7

with a copy to:

Waste Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Station operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 7. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

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8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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Name (Printed or typed) (/

Authorized Representative of

PSJS ENTERPRISES INC dba Texaco Beer & Wine

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director Date	
I, the undersigned, have read and understand the attached Agreed Order. I am aut agree to the attached Agreed Order on behalf of the entity indicated below my signated agree to the terms and conditions specified therein. I further acknowledge that the accepting payment for the penalty amount, is materially relying on such representation	cure, and I e TCEQ, in
 I also understand that failure to comply with the Ordering Provisions, if any, in and/or failure to timely pay the penalty amount, may result in: A negative impact on compliance history; Greater scrutiny of any permit applications submitted; Referral of this case to the Attorney General's Office for contempt, injunc additional penalties, and/or attorney fees, or to a collection agency; Increased penalties in any future enforcement actions; Automatic referral to the Attorney General's Office of any future enforcement and TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance documents may result in criminal prosecular. 	tive relief, nt actions;
Signature Date Date Vice presid	ent

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Title

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